

Docket No.: 1560-0348P  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Yasuhiro ISHII et al.

Application No.: 09/655,847

Confirmation No.: 9788

Filed: September 6, 2000

Art Unit: 3682

For: ELECTRIC POWER STEERING APPARATUS

Examiner: W. C. Joyce

**PETITION TO THE SOLICITOR UNDER 37 CFR 1.182**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
To All Parties Concerned:

Under 37 CFR § 1.304(a)(3), the Director [or his designate], may permissibly extend the time period for filing an Appeal.

The Appellants request the extension of time to re-file with the Court of Appeals for the Federal Circuit due to a failure to timely file under excusable neglect. The practice rules for the Court of Appeals for the Federal Circuit said not less than sixty (60) days. When the Appellants initially filed their Petition on the 17<sup>th</sup> day of September, 2008, it was determined that the Petition had been filed one (1) day late pursuant to the Decision date which had been rendered on July 16, 2008 (42 U.S. § 300AA-12(f)). Accordingly, Appellants' Certificate of Service dated September 17, 2008 made the Appeal one (1) day late.

Appellants believe that this is a clear case of excusable neglect, and accordingly request the extension of time necessary for re-filing the Appeal pursuant to the aforementioned Petition and enclosed newly executed Petition for Review filed herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact William D. Titcomb Reg. No. 46,463 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: November 7, 2008

Respectfully submitted,

By

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Attachments: Notice Forwarding Certified Lists and Prosecution History (7 pages)